

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK**

DOUGLAS J. HORN and CINDY HARP-HORN,

Plaintiffs,

-against-

MEDICAL MARIJUANA, INC., DIXIE HOLDINGS, LLC, RED DICE HOLDINGS, LLC, and DIXIE BOTANICALS,

Defendants.

Civil Action No. 15-cv-701-FPG

Notice of Motion

- MOTION MADE BY : Defendant Dixie Holdings, LLC, by and through their attorneys, Mazzola Lindstrom LLP, 1350 Avenue of the Americas, 2nd Floor, New York, NY 10019
- DATE, TIME AND PLACE OF HEARING : Date and time of hearing to be determined by the Hon. Frank P. Geraci, with place of hearing to be United States District Court, Western District of New York, 100 State Street, Rochester, New York 14614.
- SUPPORTING PAPERS : This notice of motion; movants'; Declaration of Jean-Claude Mazzola, Esq., movant's Memorandum of Law dated, and Declaration of Dr. Cindy Orser, all dated September 25, 2020.
- RELIEF DEMANDED AND GROUNDS THEREFORE: :
A. an Order of this Court precluding or limiting plaintiff's proposed trial exhibits or otherwise testifying or submitting related evidence; and
B. such other, further and/or different relief favoring movants as is just and proper.

ANSWERING PAPERS

: Pursuant to the Hon. Frank P. Geraci's final pre-trial order, absent different deadlines set by the Court.

ORAL ARGUMENT

: Requested, but to be determined and scheduled by the Court.

Dated: New York, New York
September 25, 2020

Respectfully submitted,

Mazzola Lindstrom LLP

By: Jean-Claude Mazzola

Richard E. Lerner

Hanoch Sheps

Attorneys for defendant

Dixie Holdings, LLC

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